

## **RESOLUTION NO. 2021-R42**

### **A RESOLUTION SUPPORTING THE ADOPTION OF THE TEXAS TERM SHEET APPROVING THE ALLOCATION OF ANY AND ALL OPIOID SETTLEMENT FUNDS**

**WHEREAS**, The City of Boerne obtained information indicating that certain drug companies and their corporate affiliates, parents, subsidiaries, and such other defendants as may be added to the litigation (collectively, “defendants”) have engaged in fraudulent and/or reckless marketing and/or distribution of opioids that have resulted in addictions and overdoses; and

**WHEREAS**, these actions, conduct and misconduct have resulted in significant financial costs to the County; and

**WHEREAS**, on May 13, 2020, the State of Texas, through the Office of the Attorney General, and a negotiation group for Texas political subdivisions entered into an Agreement entitled Texas Opioid Abatement Fund Council and Settlement Allocation Term Sheet (hereafter, the Texas Term Sheet) approving the allocation of any and all opioid settlement funds within the State of Texas. The Texas Term Sheet is attached hereto as Exhibit “A”; and

**WHEREAS**, Special Counsel and the State of Texas have recommended that the City of Boerne City Council support the adoption and approval the Texas Term Sheet in its entirety.

**NOW, THEREFORE, BE IT RESOLVED**, that we, the City Council Member of Boerne, Texas:

1. Support the adoption and approval the Texas Term Sheet in its entirety; and
2. Finds as follows:

a. There is a substantial need for repayment of opioid-related expenditures and payment to abate opioid-related harms in and about City of Boerne; and

The City Council supports in its entirety and hereby adopts the allocation method for opioid settlement proceeds as set forth in the STATE OF TEXAS AND TEXAS POLITICAL SUBDIVISIONS' OPIOID ABATEMENT FUND COUNCIL AND SETTLEMENT ALLOCATION TERM SHEET, attached hereto as Exhibit A. The Boerne City Council understands the purpose of this Texas Term Sheet is to permit collaboration between the State of Texas and Political Subdivisions to explore and potentially effectuate resolution of the Opioid Litigation against Pharmaceutical Supply Chain Participants as defined therein. We also understand that an additional purpose is to create an effective means of distributing any potential settlement funds obtained under this Texas Term Sheet between the State of Texas and Political Subdivisions in a manner and means that would promote an effective and meaningful use of the funds in abating the opioid epidemic in this City and throughout Texas

**FURTHER RESOLVED**, that for and on behalf of the Governing Body, Mayor Tim Handren, is hereby authorized, empowered, and directed to certify this resolution to the Texas Department of Housing and Community Affairs.

**READ, PASSED AND ADOPTED** this the \_\_\_\_ day September 2021.

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Mayor

ATTEST:

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City Secretary